UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,179	06/20/2003	Steven E. Barile	42P15785	9758

59796 7590 03/19/2008		

INTEL CORPORATION
c/o INTELLEVATE, LLC
P.O. BOX 52050
MINNEAPOLIS, MN 55402

EXAMINER
KIANERSI, MITRA

ART UNIT	PAPER NUMBER
2145	

MAIL DATE	DELIVERY MODE
03/19/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/600,179	BARILE, STEVEN E.
	Examiner	**Art Unit**	
	Mitra Kianersi	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05212007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>06232006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Arguments

Applicant's arguments filed 04/17/2007 have been fully considered but they are not persuasive.

Paragraph [A]: applicant on page 8 argues that Katinsky does not teach or suggest creating the play list. Examiner's explanations: Advantages of the Katinsky's invention may include one or more of the following. The user can locate and control streams of multimedia content in real time without accessing different web pages or surrendering control to a media player program. A user can define and assemble multiple sequences of media objects, particularly sources of streaming content. The user can manage a persistent personal collection of media objects from a network client. The user can gather additional streaming content while a media object is playing, and can modify and create sequences while a media object is playing. The user can add and remove media objects from a sequence, can deselect media objects to prevent them from playing without removing them from a sequence, and can switch between different user defined sequences. New media objects can be preloaded into a sequence based on a personal preference or interest profile defined by the user. Individual user histories (as defined by the order in which a user adds media objects to sequences and plays the media objects) can be used to generate an outline organized by user-defined tabs and dates. Users can exchange play lists and player combinations by electronic mail. Col 2, lines 45-65)

Paragraph [B]: Applicant on page 8-9 argues that cited part of the prior art does not suggests the recited limitation of submitting the created play list to a multimedia content provider through a network. Examiner's explanations: As shown in FIG. 13A, when the user clicks a new sequencer tab 72 (step 1300), the sequencer DSO submits changes in the current tab play list to the user database 1012. This change also resets the source for the object player (step 1304). Thus, the object player is ready to play the first checked object in the new play list 50. The play list for the new tab is filtered and loaded from the sequencer DSO recordset. Because the play list 50 is bound to the sequencer DSO, it shows the media objects associated with a new tab. Col 12, lines 6-14)

Paragraph [C]: applicant on page 9 argues that the cited portion of Katinsky does not teach the recited limitation of downloading multimedia content in the play list to a device when the device is connected to the multimedia content provider and caching the multimedia content on the device. Examiner's explanation: Since the formatting information is taken from the interface database, the media icon access panel 12 can be transformed without reloading any page or frames.

Paragraph [D]: Applicant on page 10 argues that does not teach or suggest the recited limitation ion of playing the cached content while the device is not connected to the multimedia content provider. Once the object player buffers the media stream, the media object starts playing (step 1430). When this occurs, the checkbox 54 associated with the media object is unchecked by changing the corresponding check field in the sequencer DSO (step 1432). Changing the sequencer DSO causes the bound DHTML checkbox to be unchecked (step 1434). When play ends (step 1440), the sequencer finds the next checked checkbox in the play list 50 (step 1442). The media icon associated with this media object is highlighted (step 1444), the URL of the new media object is loaded (step 1446) and the new media object is played (step 1448) thereby returning to step 1402. If the sequencer cannot locate another checked checkbox in the play list 50, the object player stops (step 1450) and the site-driven area 18 returns to default banner rotation (step 1452). Col 13, lines 18-32)

Paragraph [E]: Applicant on page 11 argues that through the cited portion, there is nothing mentioned or even remotely related to searching a database for multimedia content according to the play list. Examiner's explanation: As shown in FIG. 1, the media access web page 10 has four functional areas, including a media icon access panel 12, a sequencer 14, an object player 16, and a site-driven area 18. The media icon access panel 12 organizes media icons into a hierarchical outline or list, and supports searches for media objects. Col 4, lines 6-12)

Paragraph [F]: Applicant on page 11 argues that there is nothing in the cited portion of Katinsky that is related to processing the multimedia content before the multimedia content is downloaded or transferring the multimedia content to an occasionally-

connected device. Examiner's explanation: the creation of play lists and play list tabs

sequencer tabs gives the user the option to view a personalized access area, e.g., an

outline 22 in the described implementation, on the media icon access panel 12.

Because the arguments with respect to the allowableness of independent claims were

found unpersuasive, these same arguments are not persuasive with respect to the other

dependent claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1- 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Katinsky et al. US. Patent No. 6, 452,609)

1.   As per claims 1, 12 and 17, a method for caching multimedia content to an

occasionally-connected device, comprising:

-creating a play list based at least in part on a user's preferences; (col 1, lines 51-58)

-submitting the play list to a multimedia content provider through a network; submits

changes in the current tab play list to the user database 1012. (col 11, lines 15-18)

-downloading multimedia content in the play list to a device when the device is

connected to the multimedia content provider and caching the multimedia content on

the device; and once the object player begins buffering the media stream, the media

type and image size are determined from the media icon data source object (step

1412). (col 13, lines 1-6)

Katinsky et al. have been cited for playing the cached multimedia content, which is

directed to a method of operating a web page while the device is not connected to the

multimedia content provider (once the object player buffers the media stream, the media

object starts playing (step 1430) and (col 13, lines 18-20). Therefore, it would have been obvious to one of ordinary skill in the art to employ katinsky in order to enhance multimedia content provider when Multiple sources of streaming content are displayed to a user, and user input is received to select a playing order for the sources of streaming content. The playing order is stored, user input is received to start delivering the streaming content to the user, and the streaming content is presented to the user in the stored order.

2.   As per claims 2 and 18, the method wherein creating a play list comprises:
-creating an initial play list based on at least one of the following: the user's specifications, a play list pre-defined by the user, and a play list pre-determined by the multimedia content provider; (col 4, lines 50-65)
-expanding the initial play list by recommending to the user additional content based on the user's preferences; and refining the expanded initial play list based on the user's feedback.(col 4, lines 1-2 and col 5, lines 1-27)

3.   As per claims 3 and 19, the method wherein expanding the initial play list comprises cross-pollinating the initial play list using play lists of other users. (col 5, lines 55-61)

4.   As per claims 4 and 20, the method wherein the device comprises a portable device. (col 7, lines 20-25 and col 8, lines 33-50)

5.   As per claims 5 and 21, the method wherein playing the multimedia content comprises accessing the multimedia content and rendering the multimedia content to the user. (col 13, lines 1-6)

6.   As per claims 6 and 22, the method wherein accessing the multimedia content comprises at least one of the following: unpacking, decrypting, decompressing, and decoding the multimedia content. (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).

7.   As per claims 7 and 23, the method, wherein the network comprises at least one
of the following: a local area network, a wide area network, the Internet, a
terrestrial broadcast network, and a wireless network. (col 7, line 21)

8.   As per claims 8 and 24, a method for distributing multimedia files, comprising:
accepting a play list of multimedia files; (col 1, line 51-58)

searching a database for multimedia content according to the play list; (col 1, lines 59-
67 and col 2, lines 1-29)

processing the multimedia content before the multimedia content is downloaded; and
transferring the multimedia content to an occasionally-connected device. (col 13, lines
64-67 and col 14, lines 1-9)

9.   As per claims 9 and 25, the method wherein the occasionally connected device
comprises a portable device. (col 6, line 8)

10.   As per claims 10 and 26, the method wherein processing the multimedia files
comprises at least one of the following: packaging, encrypting, compressing, and
encoding the multimedia files. (the step is inherent, since the HTML page is assembled
appropriate to the browser configuration to display the media icons from the mailed play
list).

11.   As per claims 11 and 27, the method wherein the database comprises at least
one of static and dynamic multimedia content. (col 10, lines 17-37)

12.   As per claims 12, a system for caching multimedia contents to an occasionally
connected device, comprising:

-a play list creator capable of creating a play list of multimedia files; (col 1, lines 51-58)

-a multimedia content provider capable of providing multimedia files specified by the
play list for a user to download; (col 13, lines 1-6)

-the multimedia content and rendering the multimedia content to the user. (col 13, lines
1-6)

a multimedia content rendering mechanism capable of rendering the multimedia files
to a user, (col 13, lines 1-6)

13.   The system of claim 14, wherein the multimedia content player comprises:
a communication port,

a multimedia content access module capable of at least one of the following: unpacking, decrypting, decompressing, and decoding the multimedia files stored in the multimedia content cache; (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).

a multimedia content rendering mechanism capable of rendering the multimedia files to a user, (col 13, lines 1-6)

14.   The system of claim 15, the system wherein the multimedia content provider comprises:

a communication port; (col 8, lines 30-40)

a multimedia content database;(col 15, lines 17-43)

a searching mechanism capable of searching the multimedia content database for multimedia files in the play list; (col 14, lines 62-67 and col 15, lines 1-16)

a content processing mechanism capable of at least one of the following:

packaging, encrypting, compressing, and encoding the multimedia files. (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).

15.   The system of claim 16, the system wherein the multimedia content cache comprises:

a communication port; (col 8, lines 30-40)

a receiving component capable of downloading and receiving the multimedia files from the multimedia content provider through a network; (col 13, lines 1-6)

a storage component capable of storing the multimedia files. (col 13, lines 1-6) and (col 11, lines 1-6)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272- 3915. The examiner can normally be reached on 8:00AM-4:00PM.

Mitra Kianersi
June/04/2007

JASON CARDONE
SUPERVISORY PATENT EXAMINER